

1 BEFORE THE BOARD OF MEDICAL EXAMINERS
2 IN THE STATE OF ARIZONA
3

4 In the Matter of

5 **EDUARDO ALCANTAR, M.D.**

6 Holder of License No. 17509
7 For the Practice of Medicine
8 In the State of Arizona.

Case No. MD-00-0430

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER FOR A LETTER
OF REPRIMAND**

9
10 **INTRODUCTION**

11 This matter was initially heard and considered by the Arizona Board of Medical
12 Examiners (Board) at its public meeting on April 26, 2001, at which Eduardo Alcantar,
13 M.D. appeared before the Board for the purpose of the Board conducting a formal
14 interview, pursuant to the authority vested in it by A.R.S. § 32-1451(G). After due
15 consideration of the facts and law applicable to this matter, the Board voted to issue the
16 following Findings of Fact, Conclusions of Law and Order.

17 **FINDINGS OF FACT**

18 1. The Board is the duly constituted authority for the regulation and control of
19 the practice of allopathic medicine in the State of Arizona.

20 2. Eduardo Alcantar, M.D. (Dr. Alcantar), is the holder of license number 17509
21 for the practice of allopathic medicine in the State of Arizona.

22 3. The Board initiated case number MD-00-0430 upon receiving notification of a
23 malpractice settlement.

24 4. On December 12, 1995, Tris S. Castle, PA-C (P.A. Castle), examined the
25 nine-month old patient for complaints of vomiting for a duration of 2 days. P.A. Castle
diagnosed an upper respiratory infection. On December 15, 1995, the patient had

1 symptoms of continued vomiting and lack of appetite and was evaluated by Dr. Alcantar.
2 The mother also indicated that the patient had projectile vomiting, continuous crying, and
3 an inability to stand or walk. The patient had lost 10 ounces in the intervening three days.
4 However, Dr. Alcantar failed to record these symptoms. Dr. Alcantar diagnosed a possible
5 viral illness and unknown etiology for vomiting. Dr. Alcantar ordered a stat CBC,
6 urinalysis, and ordered a stat anti-emetic (Phenergan).

7 5. On December 17, 1995, the patient was taken to the emergency room at St.
8 Joseph's Hospital and Medical Center with continued and worsening symptoms and was
9 admitted to the hospital. The patient was ultimately diagnosed with tuberculous
10 meningitis.

11 6. The symptoms described by the mother strongly suggested that the child
12 was seriously ill on December 15, 1995.

13 7. Dr. Alcantar failed to recognize that the patient was seriously ill.

14 **CONCLUSIONS OF LAW**

15 1. The Board possesses jurisdiction over the subject matter hereof and over
16 Eduardo Alcantar, M.D., holder of license number 19784.

17 2. The conduct and circumstances described above in paragraphs 4 to 7
18 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(q) (Any conduct or
19 practice which is or might be harmful or dangerous to the health of the patient or the
20 public).

21 3. The conduct and circumstances described above in paragraphs 4 to 7
22 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(II) (Conduct the Board
23 determines is gross negligence, repeated negligence resulting in harm to or the death of a
24 patient).

ORDER

IT IS HEREBY ORDERED THAT:

1. Eduardo Alcantar, M.D., holder of license number 17509, is issued a Letter of Reprimand for failing to recognize a seriously ill patient.
2. This Order is final disposition of case number MD-00-0430.

RIGHT TO PETITION FOR REVIEW

Eduardo Alcantar, M.D. is hereby notified that he has the right to petition for a rehearing of this Order. Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with the Board's Executive Director within thirty (30) days after service of this Order and pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a rehearing. Service of this Order is effective five (5) days after the date of mailing. If a petition for rehearing is not filed, the order becomes effective thirty-five (35) days after it has been mailed. Timely filing of a motion for rehearing shall stay the enforcement of this Order, until the Board enters a final and effective Order ruling on the merits of the motion for rehearing.

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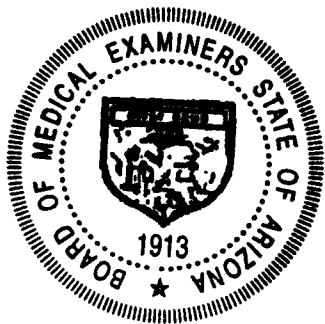
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1 Dr. Alcantar is further notified, as required by A.R.S. § 41-1092.09(B), that the
2 timely filing of a petition for rehearing with the Board is required to preserve any rights of
3 appeal to the superior court that he may wish to pursue.

4 DATED AND EFFECTIVE this 26th day of April, 2001.

5 BOARD OF MEDICAL EXAMINERS
6 OF THE STATE OF ARIZONA

7 (SEAL)



8
9 By

Claudia Foutz

10 CLAUDIA FOUTZ
11 Executive Director
TOM ADAMS
Deputy Director

12 ORIGINAL of the foregoing filed this
13 27 day of April, 2001 with:

14 The Arizona Board of Medical Examiners
15 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

16 EXECUTED COPY of the foregoing mailed by
17 Certified Mail this 27 day of April, 2001 to:

18 Eduardo Alcantar, M.D.
19 1492 S. Mill Ave., Ste. 212
Tempe, AZ 85281

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1 EXECUTED COPY of the foregoing
2 hand-delivered this 27 day of
3 April, 2001, to:

4 Richard Albrecht, Assistant Attorney General
5 c/o Arizona Board of Medical Examiners
6 9545 E. Doubletree Ranch Road
7 Scottsdale, AZ 85258
8 Counsel for the Board

9 Sandra Watt

10 Sandra Watt, Management Analyst
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